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IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G)

WRIT PETITION NO. 1696 /2005

PETITIONER

P.R. No. 1658/05 Bilaspur
Presented by Shri ... 15.07.05
dated...

Dr. N.P. Shrivastava, S/o. Late Shri B.L. Shrivastava, Aged about 68 years, Retd. Regional Addl. Director, Higher Education, Bilaspur, R/o. Opposite C.M.D. College, Link Road, Bilaspur (C.G.)

V E R S U S

RESPONDENTS

1. State of Chhattisgarh, Through its Secretary, Department of Higher Education, Mantralaya, D.K.S. Bhawan, Raipur (C.G)

2. State of Madhya Pradesh, Through its Secretary, Department of Higher Education, Mantralaya, Bhopal (M.P.)

3. Divisional Joint Director, Treasuries, Accounts & Pension, Bhopal & Hosangabad Divisions, Bhopal (M.P.)

4. Divisional Joint Director, Treasuries, Accounts & Pension, Raipur Division, Raipur (C.G.)

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15.7.
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ·W.P.No.1698 **सन्** 2005 **200**

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..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	2-5-2005 Mr. Bhaskar Pyasi, counsel for the petitioner. Mr. Sudhir Agrawal, Panel Lawyer for the State/respondents. Heard both the counsel. The case of the petitioner is that initially, he was appointed as Lecturer in the year 1961 in a Government Aided Private College at Bilaspur. Later on, the petitioner was promoted as Principal in the year 1974-75. The said College was taken over by the erstwhile State of Madhya Pradesh with effect from 1-10-1982, and as a consequence of the same, entire staff of the College was also absorbed in the Government service. Initially, the petitioner was absorbed as Professor in English in the Department of Higher Education, State of Madhya Pradesh. Subsequently, he was promoted as Principal of Degree College and ultimately, the petitioner retired as Regional Additional Director, Higher Education, Raipur, Bastar Division. Prior to the retirement, vide order dated 28-4-1993, the petitioner represented to the competent authority for recounting his service rendered by him in the College prior to taking over by the State of Madhya Pradesh, and ultimately that was allowed to be counted vide order dated 3-4-2003 (Annexure P-4). Since then the petitioner is making representations, but, the respondent authorities are not	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

passing any order, after counting his services which were rendered by him when the College was run by Private Organization, and thereby, they are not complying with the order dated 3-4-2003 (Annexure P-4).

As such, learned counsel for the petitioner submits that the respondent authorities be directed to consider the case of the petitioner and pass appropriate regarding pension after taking into consideration the order dated 3-4-2003 (Annexure P-4), and also considering the fact that the petitioner has already deposited the amount of management share to the tune of Rs.12,733/-, for which learned Panel Lawyer has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and also having regard to the limited request made by learned counsel for the petitioner, which appears to be fair and reasonable, respondent No.4 is directed to decide pension case of the petitioner within a period of three months from today, after considering all the points raised by the petitioner, in accordance with law.

With the direction aforesaid the petition stands disposed of.

Consequently, I.A.No.3290/2005 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve